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USPTO FACSIMILE TRANSMITTAL SHEET

Page 1 of 2

Docket No.: IRDM.025CCD/IDC-0003C1C1D1

CUSTOMER NO. 20995

Applicant : Mark W. Miles
App. No. : 10/082,397
Filed : August 6, 2002
For : VISIBLE SPECTRUM MODULATOR
ARRAYS
Examiner : Mai, Huy K.
Group Art Unit : 2873

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to the USPTO Central Fax No. (703) 872-9306 on the date shown below:

April 21, 2005
Date

Mark M. Abumeri
Mark M. Abumeri, Reg. No. 43,458

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

1. Request for Reconsideration of Decision Dismissing Petition (2 pp);
2. Request for Continued Examination (2 pp);
3. Supplemental Amendment (4 pp).

FILING FEES:

FEE CALCULATION					
FEE TYPE		FEE CODE		CALCULATION	TOTAL
RCE Fee		2801 (\$395)			\$395
Suspension of Action		1463 (\$130)			\$0
Total Claims Previously Paid	20 - 20 = 0	2202 (\$25)		0 x 25 =	\$0
Independent Claims Previously Paid	2 - 3 = 0	2201 (\$100)		0 x 100 =	\$0
Multiple Claim		2203 (\$180)			\$0
1 Month Extension		2251 (\$60)			\$60
2 Month Extension		2252 (\$225)			\$0
3 Month Extension		2253 (\$510)			\$0
				TOTAL FEE DUE	\$ 455.00

Orange County
949.750.1111

San Francisco
415.398.1111

Los Angeles
310.551.1111

Riverside
951.781.0244

San Luis Obispo
805.547.4444

Knecht Martens Olson & Bear LLP

Application No.: 10/082,397

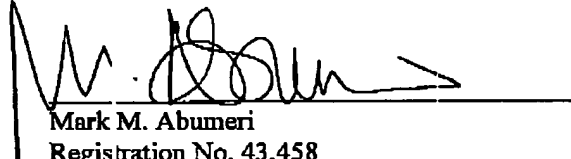
CUSTOMER NO. 20995

Filing Date: August 6, 2002

(X) Please charge the total fees due in the amount of \$455.00 to Deposit Account No. 11-1410.

(X) Total pages in transmission: 10

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.



Mark M. Abumeri
Registration No. 43,458
Attorney of Record
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IRDM.025CCD/IDC-0003C1C1D1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark W. Miles
Appl. No. : 10/082,397
Filed : August 6, 2002
For : VISIBLE SPECTRUM
MODULATOR ARRAYS
Examiner : Mai, Hry K.
Group Art Unit : 2873

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April 21, 2005

(Date)

Mark M. Abumari

Mark M. Abumari, Reg. No. 43,458

REQUEST FOR RECONSIDERATION OF DECISION DISMISSING PETITION

Mail Stop Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Request for Reconsideration is in response to the Decision Dismissing Petition (the "Decision"), mailed on March 17, 2005. For the reasons discussed below, the Applicant respectfully requests that the filing date of the above-identified application be restored to its original date of February 25, 2002.

On November 18, 2004, Applicant filed a Petition under 37 C.F.R. 1.182 requesting withdrawal of Applicant's previously submitted Response to Notice of Omitted Items (mailed July 31, 2002) and restoration of Applicant's original filing date of February 25, 2002. Although Applicant's Petition was dismissed, the Decision stated that Applicant "may obtain favorable relief, upon request for reconsideration, if [Applicant] submits a Request for Continued Examination (RCE) under the provisions of 37 C.F.R. 1.114, along with an amendment deleting any reference to Figure 23E in the specification, and any other reply needed to continue prosecution." *Decision Dismissing Petition at page 2*. The Decision further noted that no further petition fee would be required. *Id.*

Appl. No. : 10/082,397
Filed : August 6, 2002

In accordance with the Director's requirements in the Decision, the Applicant submits herewith an RCE, along with an Amendment deleting any reference to Figure 23E in the specification. In addition, the Applicant has requested in the RCE consideration of Applicant's Amendment, which was previously submitted on November 8, 2004, but remains unentered.

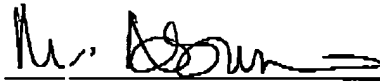
Since Applicant has complied with all of the Director's requirements as set out in the Decision, Applicant respectfully requests granting Applicant's Petition and, particularly, restoration of the original filing date of February 25, 2002.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 21, 2005

By: 

Mark M. Abumeri
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Customer No. 20,995
(619) 235-8550

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